

NICHOLS KASTER & ANDERSON LLP
Matthew C. Helland, CA State Bar No. 250451
Helland@nka.com
One Embarcadero Center, Suite 720
San Francisco, CA 94111
Telephone: (415) 277-7235
Facsimile: (415) 277-7238

NICHOLS KASTER & ANDERSON, PLLP
James H. Kaster, CA State Bar No. 248949
kaster@nka.com
4600 IDS Center, 80 S. 8th Street
Minneapolis, MN 55402
Telephone: (612) 256-3200
Facsimile: (612) 338-4878

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Charles Jason Moran,
Plaintiff,

v.

Piper Jaffray & Co.,
d/b/a Piper Jaffray,
Defendant.

CASE NO: 08-cv-3188

**PLAINTIFFS' AMENDED
NOTICE OF MOTION**

Date: October 10, 2008
Time: 9:00 a.m.
Place: Courtroom 2, 17th Floor
Judge: Hon. Jeffrey S. White

AMENDED NOTICE OF MOTION

TO DEFENDANT AND ITS ATTORNEYS OF RECORD

PLEASE TAKE NOTICE THAT on October 10, 2008, at 9:00 a.m. or as soon thereafter as may be heard, in Courtroom 2, 17th Floor, the Honorable Jeffrey S. White presiding, in the above entitled Court located at 450 Golden Gate Ave., San Francisco, California, Plaintiff Charles Jason Moran will, and hereby does, move the Court for issuance of a preliminary injunction.

Plaintiff seeks an order enjoining the operation of Sections 2(d)(iii) and 2(d)(iv) of the 2007 and 2008 Restricted Stock Agreement between Plaintiff and Defendant, and Sections 2(c)(ii), 2(c)(iii) and 2(c)(v) of the 2006 Restricted Stock Agreement between Plaintiff and Defendant.

This amended notice of motion supersedes the notice of motion contained in Plaintiff's previously filed Notice of Motion and Motion for Preliminary Injunction and Memorandum and Points of Authorities, Dkt. 21.

Dated: 7/23/2008

NICHOLS KASTER & ANDERSON, LLP

By: s/Matthew C. Helland
Matthew C. Helland

NICHOLS KASTER & ANDERSON, PLLP
Attorneys for Plaintiffs and the Putative Class